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cc:	Right Fax	571-273-4710	

**From:** John D. Simmons  
**Total Pages:** 4  
**Direct Dial:** 215.965.1259  
**Re:** U.S. Patent Application No. 10/731,288  
Docket No.: 10800-3U3  
**Title of Paper(s) being sent** Terminal Disclaimer (37 CFR § 1.321(b))

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re:	Patent Application of Walter W. Eckman	:	
Conf. No.:	4929	:	Group Art Unit: 3732
Appln. No.	10/731,288	:	Examiner: David C. Comstock
Filed:	December 9, 2003	:	Attorney Docket No.: 10800-3U3
For:	DISKECTOMY INSTRUMENT AND METHOD		

**TERMINAL DISCLAIMER (37 CFR § 1.321(b))****IDENTIFICATION OF PERSON MAKING THIS DISCLAIMER**

I, John D. Simmons, represent that I am the agent of record for this invention.

**IDENTITY OF ASSIGNEE AND TITLE OF DISCLAIMANT**

The name of the Assignee is: Concept Matrix, LLC  
The address of the Assignee is: 215 Eola Drive, Orlando, Florida 32801

**EXTENT OF DISCLAIMANT'S INTEREST**

The extent of the interest in this invention that the disclaimant owns is in the whole of this invention.

**RECORDAL OF ASSIGNMENT IN PTO**

The assignment was recorded on February 10, 2003 at Reel and Frame 013747/0297.

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01 FC:1814 130.00 DA

**DISCLAIMER**

The owner of the above-identified application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the present application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. § 154 to § 156 and § 173 of U.S. Patent No. 6,726,690 B2. The owner of the above-identified application hereby agrees that any patent so granted on the present application shall be enforceable only for and during such period that it and U.S. Patent No. 6,726,790 B2 are commonly owned. This agreement runs with any patent granted on the present application and is binding upon the grantee and its successors or assigns.

In making the above disclaimer, the owner of the above-identified application does not disclaim any terminal part of any patent granted on the present application that would extend to the expiration date of the full statutory term defined in 35 U.S.C. § 154 to § 156 and § 173 of the prior patent, in the event that it later: expires for failure to pay maintenance fee, is held unenforceable or is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or is terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate or is in any manner terminated prior to the expiration of its full statutory term.

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**FEE STATUS AND PAYMENT (37 C.F.R. § 1.20(d))**

The Commissioner is hereby authorized to charge Deposit Account No. 50-1017 (Billing No. 210800.0015) the statutory disclaimer fee in the amount of \$130.00. The Commissioner is also hereby authorized to charge said account as follows:

any fee deficiency or overpayment in the above-calculated fee.

A duplicate of this disclaimer is attached.

Respectfully submitted,

WALTER W. ECKMAN

June 23, 2005  
(Date)

By:

John D. Simmons  
JOHN D. SIMMONS

Registration No. 52,225

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